

RELIEF OF FIVE SISTERS OF THE FRANCISCAN MISSION- ARIES OF MARY

JULY 19, 1951.—Committed to the Committee of the Whole House and ordered
to be printed

Mr. GRAHAM, from the Committee on the Judiciary, submitted the
following

REPORT

[To accompany H. R. 3965]

The Committee on the Judiciary, to whom was referred the bill (H. R. 3965) for the relief of five sisters of the Franciscan Missionaries of Mary, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of this bill is to grant permanent residence in this country to five Spanish nuns. The bill also provides for the payment of the required visa fees and head taxes and for the appropriate quota deductions.

GENERAL INFORMATION

The pertinent facts in this case are contained in a letter dated June 29, 1951, from the Deputy Attorney General to the chairman of the Committee on the Judiciary, which letter reads as follows:

JUNE 29, 1951.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 3965) for the relief of five sisters of the Franciscan Missionaries of Mary.

The bill would provide that, for the purposes of the immigration and naturalization laws, Sister Maria Illuminada (Victoria Pinto), Sister Maria Prisciliana (Francisca Steuain y Elizagaray), Sister Maria Filisa Nieves (Francisca Arana Garcia), Sister Maria Eutinia (Petra Lapena), and Sister Maria Amalia Sofia (Maria Fontana y Colomina) shall be considered to have been lawfully admitted to the United States for permanent residence as of the date of its enactment, upon

payment of the required visa fee and head tax. It also would direct the Secretary of State to instruct the quota-control officer to deduct five numbers from the appropriate quota for the first year that such quota is available.

The files of the Immigration and Naturalization Service of this Department disclose that the five alien beneficiaries of this bill are Roman Catholic nuns, members of the Franciscan Missionaries of Mary, a religious order. They are natives and citizens of Spain, who were admitted to the United States as non-immigrants under section 3 (2) of the Immigration Act of 1924. The Sisters of the Order of the Franciscan Missionaries of Mary are in charge of the Joseph P. Kennedy Memorial Hospital, Warren Street, Brighton, Mass. Its patients are crippled and mentally defective children under 14 years of age. The hospital is open to children of all races and creeds, and 50 percent of the patients are charity cases. At the present time, the hospital is staffed by 48 nuns who perform maintenance work such as cleaning, cooking, and washing, in addition to their nursing duties. Mother Emile Ange, superior of the hospital, advised that undivided attention is required in the care of the patients, and that it will be necessary to obtain the services of 10 to 20 more nuns before the hospital can operate at full capacity. The files disclose the following additional information concerning the individual aliens:

Francisca Setuain y Elizagaray (Sister Maria Prisciliana) was born on March 9, 1900, in Pamplona, Navarra, Spain. She was last admitted to the United States at St. Albans, Vt., on August 18, 1949, and subsequently was granted extensions of her temporary stay to May 18, 1951. She performs the duties of a nurse's aid and other necessary work at the hospital.

Victoria Pinto Pinero (Sister Maria Illiminada) was born on December 23, 1905, in Toledo, Spain. She was last admitted to the United States at St. Albans, Vt., on August 18, 1949, and subsequently was granted extensions of her temporary stay to May 18, 1951. She is acting as a nurse's aid in addition to performing routine duties at the hospital.

Francisca Arana Garcia (Sister Maria Felisa Nieves) was born on September 9, 1915, in Villafranca, Navarra, Spain. She last arrived in the United States at St. Albans, Vt., on August 18, 1949, and subsequently was granted extensions of her temporary stay to August 18, 1951. She is presently at the novitiate of the order in North Providence, R. I., for a rest. If she is allowed to remain in the United States, she will assist as a nonprofessional worker at the Kennedy Memorial Hospital.

Petra Lopena Goizueta (Sister Maria Eutinia) was born on October 2, 1908, in Pamplona, Navarra, Spain. She was last admitted at St. Albans, Vt., on August 18, 1949, and subsequently was granted extensions of her temporary stay to August 18, 1951. She came to the United States to assist in caring for the patients at the hospital, but is temporarily at the novitiate of the order in North Providence, R. I., for a rest.

Maria Fontana Colomina (Sister Maria Amalia Sofia) was born on November 11, 1921, in Os de Balaguer, Spain. She last arrived in the United States at the port of San Francisco, Calif., on August 2, 1950, and subsequently was granted an extension of her temporary stay to August 1, 1951. Prior to her entry into the United States she was assigned to a missionary orphanage in China. She came to the United States to undergo a gall-bladder operation and is presently at the novitiate of her order in North Providence, R. I., where she is recuperating from the operation. If she is allowed to remain in the United States, she will be engaged as a nonprofessional worker at the Kennedy Memorial Hospital.

The quota for Spain, to which the aliens are chargeable, is oversubscribed for many years, and immigration visas are not readily obtainable. In that respect, their cases are similar to those of many other aliens who desire to enter this country for permanent residence but who are unable to do so because of the oversubscribed condition of the quotas to which they are chargeable.

Whether this bill should be enacted involves a question of legislative policy concerning which this Department prefers not to make any recommendation.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Mr. McCormack, the author of this legislation, appeared before a subcommittee of the Committee on the Judiciary and urged the enactment of his bill, submitting the following additional information:

DIVINE PROVIDENCE FOUNDATION,
New York, N. Y.

To Whom It May Concern:

We, the Franciscan Missionaries of Mary, are anxious to obtain permanent residence in the United States for five of our sisters of Spanish birth, namely:

Sister Maria Illuminada (Victoria Pinto)
Sister Maria Prisciliana (Francisca Setuain y Elizagaray)
Sister Maria Felisa Nieves (Francisca Arana Garcia)
Sister Maria Eutinia (Petra Lapena)
Sister Maria Amalia Sofia (Maria Fontana y Colomina)

Because our American vocations are at present insufficient to carry on our various missionary activities in schools, hospitals, etc., we have been obliged to seek help from outside our American province. The above-mentioned sisters were sent to us in an urgent need and now our difficulty is to keep them and obtain for them permanent residence in the United States.

If this favor could be granted, these sisters would render invaluable service, especially at the Joseph P. Kennedy, Jr., Memorial Hospital for mentally retarded and crippled children in Brighton, Mass., where we have no Spanish-speaking sisters and where the number of children could be increased (and there is a real need) if we could add five more sisters to the staff.

Here, as elsewhere in our 13 convents throughout the United States, our work is among the poor, children in particular, and most of them handicapped children who are underprivileged in a variety of ways. Our other work includes a school and social work among the colored of Cincinnati, an Indian Mission on the Navaho Reservation of Arizona, a Portuguese mission and school in Fall River, Mass., an orphanage, a day nursery in Rhode Island. At St. Francis Sanatorium for Cardiac Children our sisters conduct a hospital for 200 heartsick children, the only one of its kind, and how often these little ones speak no other language than Spanish.

In New York City we conduct two temporary shelters for children who come to us from the department of welfare, the children's courts of the four boroughs, the police department, private agencies such as Traveler's Aid, and private families. They remain with us under temporary care until suitable disposition of them can be made with institutions, foster homes, etc., in the case of neglected children, or until they can return home in the case of illness of the mother. Here again how often is a little child brought to us unable to make himself understood except in the Spanish language. Naturally, they would quickly feel at home with a Spanish sister to help them over the language difficulty.

MOTHER M. MALACHY, F. M. M.,
Provincial Superior.

ST. CLEMENT'S CONVENT,
Boston, Mass., May 2, 1951.

To assist in their missionary work with underprivileged children in their institutions in the United States, for example, the Joseph P. Kennedy, Jr., Memorial Hospital, Brighton, Mass., the religious community of the Franciscan Missionaries of Mary seek admittance of five Spanish sisters as permanent residents of the United States because American vocations are not yet numerous enough to staff the various types of social-service work confided to this institute in the American province.

Following are the names of the five sisters:

Sister Maria Illuminada (Victoria Pinto).
Sister Maria Prisciliana (Francisca Setuain y Elizagaray).
Sister Maria Felisa Nieves (Francisca Arana Garcia).
Sister Maria Eutinia (Petra Lapena)
Sister Maria Amalia Sofia (Maria Fontana y Colomina)

MARY JOANNICE, F. M. M., *Superior.*

CONVENT OF OUR LADY OF THE EUCHARIST,
Brighton, Mass., May 1, 1951.

To Whom It May Concern:

The Franciscan Missionaries of Mary, who staff the Joseph P. Kennedy, Jr., Memorial Hospital for Children in Brighton, Mass., work with little girls from the ages of 6 to 12 years and little boys from the ages of 6 to 9 years.

The sisters who staff this institution are especially trained for work with boys and girls suffering from Mongolism, cerebral palsy, and those who are crippled.

No distinction is made for race or creed among the children admitted as patients. The sisters are professional registered nurses, X-ray technicians, laboratory technicians, occupational and physical therapists.

Individual attention is required and given to each of these little patients.

MARIE EMILE INGE, F. M. M., *Superior*.

CONVENT OF OUR LADY OF THE EUCHARIST,
Brighton, Mass., May 7, 1951.

Hon. JOHN W. McCORMACK, M. C.,
Majority Leader, House of Representatives,
Washington, D. C.

DEAR MR. McCORMACK: Pax Caritas Christi. The Joseph P. Kennedy, Jr., Memorial Hospital and Home, which the Franciscan Missionaries of Mary staff in Brighton, Mass., is exclusively for children. Age span: boys 6 to 9 and girls 6 to 12. Our children are divided into three distinct categories with individual units for boys and girls, making in all six separate units, each comprising 25 beds. Our capacity is 150.

The three categories of children accepted include convalescent; postoperative patients not yet ready to return to families; ambulatory rheumatic-heart patients; other moderately invalid cardiaes; malnourished, underweight children who need special care and treatments; any other convalescent child who is not an all-time bed patient and for whom there is reasonable hope for improvement.

Orthopedic: This includes cerebral-palsy children who will be amenable to therapy and who are not too grossly involved; little patients in casts, in fact, all orthopedic cases who present a reasonably good prognosis. The hospital is also equipped to care for polios in the convalescent stage.

The third category accepted are mentally deficient. This includes Mongoloids of an I. Q. no lower than 40; also other mentally deficient children who are hoped to be trainable and teachable.

The children are given a well-formulated school program. Class hours are from 9 to 12:30 p. m., interspaced with lunch and recess, with a short period of musical variety. Each unit has its distinct classroom, and every 10 children have a teacher.

Our physiotherapy department includes a Hubbard tank and therapeutic pool and is equipped both functionally and with personnel to give complete physical therapy.

Likewise, the occupational therapy department functions as a complete, fully qualified, and routine correlation with physiotherapy and general therapeutic care.

Speech therapy is also an integral segment of our fully rounded program of treatment. Audiometric testing, tape recording, progressive speech improvement is embodied in this service.

Our children are under the direct supervision of our medical staff, including the various specialists in their particular fields; that is, the pediatricians, surgeons, orthopedists, neurologist, cardiologists, dentists, dermatologist, urologist, etc.

Our hospital is distinctively of noninstitutional type. We are a nonsectarian hospital. No one is excluded regardless of color, race, or creed.

It is urgently imperative that the personnel caring for these grossly handicapped children be immediately increased due to the incidence of applications. With the augmentation of the children, it becomes more necessary to replace the sisters of professional status and whose services are indispensable for complete therapeutic functioning by sisters who assist in the general ancillary services of the hospital. It is obvious to all concerned that, unless such assistance is speedily obtained, the acceptance of more handicapped children will be absolutely impossible. This fact is self-evident by the number of children needing this service in Greater Boston, where facilities for caring for these children is knowingly inadequate.

These five Spanish sisters would be a very welcome addition to the great work of the Franciscan Missionaries of Mary in Boston.

Yours very sincerely,

MARIE EMILE INGE, F. M. M., *Superior*.

Having considered all the facts in this case, the committee is of the opinion that H. R. 3965 should be enacted, and it accordingly recommends that the bill do pass.